

## REMARKS

### **35 U.S.C. § 112**

Claims 5-12 and 22 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 5-12 and 22 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement.

### **35 U.S.C. § 102**

Claims 5, 6, 8, 10 and 22 are rejected under 35 U.S.C. 102(b) as being fully anticipated by Carlson et al. '352.

Claims 5, 6, 8, 10 and 22 are rejected under 35 U.S.C. 102(b) as being fully anticipated by Congleton et al.

Claims 5, 10-12 and 22 are rejected under 35 U.S.C. 102(b) as being fully anticipated by Watanabe et al. JP 11-110816.

Claims 5, 6, 9-11 and 22 are rejected under 35 U.S.C. 102(b) as being fully anticipated by Bouldin '278.

### **35 U.S.C. § 103**

Claims 5-11 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Carlson '352.

Claims 5-12 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Watanabe et al. JP 11-110816 and Carlson '352, in view of either Mizutani JP 01-144247 or Ogura JP 2001-076382.

Claims 5-12 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Watanabe et al. JP 11-110816 and Carlson '352, in view of either of Mizutani JP 01-144247 or Ogura JP 2001-076382, further in view of Kubo '378.

Applicant would first like to thank the Examiner for the interview conducted with Applicants' attorney on April 12, 2007. During the interview, Applicants discussed the distinguishing feature of the present invention, in particular, the formation of individual images, wherein the individual analog images form a digital bit, which form a data stream that can be read digitally. The digital data stream being representative of an image and the discrete individual bit

comprising an analog image that can be viewed optically. Support for this is clearly set forth in paragraph 33 of the published application. As discussed in the interview, neither of the cited references teach or suggest forming discrete analog images that function as a digital bit as a part of the bit stream using near field optics, wherein the digital data stream can be read digitally and the individual discrete bit can be viewed optically with respect to the image forming the discrete bit.

With regard to 112 rejections, Applicants have amended the claims to more clearly set forth the present invention. In particular, claim 5 has been amended to be directed to a photosensitive data storage product comprising a material having a plurality of discrete optical analog images formed using near field optics, wherein each discrete analog image forms a digital bit thereon that can be read digitally and the plurality of optical analog images form a digital data stream representative of an image. Independent claim 5 further goes forth to state that at least one of the discrete optical analog images can be viewed optically using near field optics that is representative of said image. The prior art totally fails to teach or suggest the invention as currently set forth in independent claim 1. Applicants respectfully submit that independent claim 5 also overcomes the objections raised by the Examiner under 35 U.S.C. 112.

Applicants have also added a new claim 28 directed to a method of producing a photosensitive storage product having an image that can be read optically by both optical and digital methods. The method comprises forming a digital data stream comprising a plurality of analog images using near field optics, wherein each of the analog images form a digital bit having a size no greater than 500 microns; the digital data stream being representative of an image that can be read digitally and at least one of the discrete digital bits comprising an analog image that can be viewed optically using near field optics. It is respectfully submitted that new independent claim 28 is patentably distinct for the same reasons discussed with regard to independent claim 5, as none of the prior art teach or suggest a method of producing the photosensitive storage priority as taught and claimed by Applicant.

In view of the foregoing, Applicants respectfully submit that the claims in their present form are in condition for allowance and such action is respectfully requested.

Respectfully submitted,



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If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.